

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
AMARILLO DIVISION

CLERK US DISTRICT COURT  
NORTHERN DIST. OF TX  
FILED

2013 MAY 30 PM 1:50

DEPUTY CLERK

*EJB*

CHESTER DUANE MILLER,

Petitioner,

v.

2:13-CV-0070

COUNTY COURT NO. 2,  
EL PASO COUNTY, TEXAS,

Respondent.

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**ORDER OVERRULING OBJECTIONS,**  
**ADOPTING REPORT AND RECOMMENDATION**  
**and DISMISSING PETITION FOR A WRIT OF HABEAS CORPUS**

Petitioner has filed with this Court a petition for a federal writ of habeas corpus. On May 13, 2013, the United States Magistrate Judge issued a Report and Recommendation in this cause, recommending therein that the instant habeas application be dismissed. On May 21, 2013, petitioner filed objections to the Magistrate Judge's Report and Recommendation.

The undersigned United States District Judge has made an independent examination of the record in this case and has considered the objections made by petitioner to the Report and Recommendation. The objections filed by petitioner are hereby OVERRULED and the Magistrate Judge's Report and Recommendation is ADOPTED. Accordingly, the petition for a writ of habeas corpus is DISMISSED.

IT IS SO ORDERED.

ENTERED this 30<sup>th</sup> day of May 2013.

*Mary Lou Robinson*  
MARY LOU ROBINSON  
UNITED STATES DISTRICT JUDGE